



General Assembly

February Session, 2014

Raised Bill No. 91

LCO No. 941



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

***AN ACT MODIFYING RECORDS RETENTION REQUIREMENTS FOR
CERTAIN RECORDS IN ELECTRONIC FORM.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (d) of section 11-8a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2014*):

4 (d) The State Librarian may establish and carry out a program of
5 inventorying, repairing and microcopying for the security of those
6 records of political subdivisions of the state which he determines to
7 have permanent value; and he may provide safe storage for the
8 security of such microcopies of such records. The State Librarian shall
9 establish guidelines for the transfer of records of political subdivisions
10 of the state having permanent value into electronic format and for the
11 safe storage of such records.

12 Sec. 2. Section 11-8b of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective October 1, 2014*):

14 All public records, as [defined] described in section 11-8 or section
15 11-8a, as amended by this act, or other such records, created by public
16 offices, are the property of the agency concerned and shall not be
17 removed, destroyed, mutilated, transferred or otherwise damaged or
18 disposed of, in whole or in part, except as provided by law or under
19 the [rules and] regulations adopted by the State Library Board
20 pursuant to the provisions of chapter 54. Such public records shall be
21 delivered by outgoing officials and employees to their successors and
22 shall not be otherwise removed, transferred, or destroyed unlawfully.

23 Sec. 3. Section 7-109 of the 2014 supplement to the general statutes is
24 repealed and the following is substituted in lieu thereof (*Effective*
25 *October 1, 2014*):

26 (a) Any official, board or commissioner of a municipality may, with
27 the approval of the chief administrative officer of such municipality
28 and of the Public Records Administrator, destroy any document in his
29 or its custody relating to any matter which has been disposed of and of
30 which no record is required by law to be kept, after such document has
31 been held for the period of time specified in a retention schedule
32 adopted by the Public Records Administrator. The tax collector may,
33 with like approval, destroy any duplicate record receipt book,
34 duplicate tax receipts or rate bills, at a time specified by the Public
35 Records Administrator. The tax collector may, with like approval,
36 destroy any old age assistance or personal tax records. The town clerk
37 may, with like approval, destroy any liquor permit, any corporation
38 annual report, any registration list of motor vehicles, any voting check
39 list, any tax list or abstract, any tax lien, release of tax lien, attachment
40 or any original document lodged with him for record, of which the
41 proper owner or owners are not known to him, and which has
42 remained in his office uncalled for, at a time specified by the Public
43 Records Administrator. In lieu of destroying any document, under any
44 provision of this section, any official, board or commissioner of a
45 municipality may, with like approval, deposit the same in the custody
46 of any society incorporated or organized under the laws of this state

47 exclusively for historical or educational purposes; provided all
48 documents so deposited shall be maintained and made available by
49 such society for the use of the public. No original document dated
50 prior to the year 1900 shall be destroyed under the provisions of this
51 section without the express written approval of the Public Records
52 Administrator.

53 (b) The Public Records Administrator shall permit a municipality to
54 dispose of any paper copy of a municipal record that is required under
55 the retention schedule to be retained for more than ten years after ten
56 years have elapsed, provided the municipality has retained an
57 electronic copy of such record using a method approved by the Public
58 Records Administrator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	11-8a(d)
Sec. 2	<i>October 1, 2014</i>	11-8b
Sec. 3	<i>October 1, 2014</i>	7-109

Statement of Purpose:

To permit municipalities to retain an electronic copy of certain records rather than requiring the retention of a paper copy for more than ten years.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]